

Remarks

Applicants have elected Group I with traverse. The Examining Attorney states that the "device can be used to hold or rotate any device or fastener." Applicants respectfully point out that the two independent claims, claim 1 (apparatus claim) and claim 12 (method claim), are directed to a "drumbar apparatus" and "method for utilizing a drumbar" on "a nut from said spoked wheel." This is clear evidence that the apparatus and method claims are practiced together. It is important to note that one could conceive of using any apparatus in an unorthodox manner, for example, a wrench to hit a nail. The fact that an alternative use for the claimed apparatus or method can be conceived does not render the claimed apparatus distinct from the claimed method. Since all claims are performed by a drumbar on a nut from a spoked wheel, it is respectfully believed that the reason for the restriction requirement has been obviated.

It is respectfully believed that this application is now in condition for allowance and an early notice of allowance is solicited.

Respectfully submitted,

A handwritten signature in cursive script that reads "David A. Chambers". The signature is written in dark ink and is positioned above a horizontal line.

David A. Chambers, Reg. No. 50,788
Richard J. Musgrave, Reg. No. 44,960
Husch & Eppenberger, LLC
401 Main Street, Suite #1400
Peoria, IL 61602-1241
(309) 637-4900